

10/501373**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Timothy BATEMAN et al.

Serial No. 10/501,373

Filed: July 15, 2004

For: MASK APPARATUS

Art Unit:

Examiner:

Atty Docket: 0119/0036

**RESPONSE TO NOTIFICATION OF
MISSING REQUIREMENTS UNDER 35 U.S.C. 371**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a response to Notification of Missing Requirements Under 35 U.S.C. 371 mailed December 13, 2004 relating to the above-identified application. A copy of the Notification is attached.

The Notification indicates that a oath or declaration from the inventors is required. Attached herewith is a copy of the first and second pages of published International Application No. WO 03/076020 indicating that the "Declaration under Rule 4.17: of inventorship for US only" was filed with the international application. A copy of the Declaration as filed with the international application is also attached.

With regard to the Surcharge Fee, inasmuch as the Declaration for the purposes of the United States was filed with the International application it is believed that no Surcharge Fee is due. However, if we are incorrect, the Commissioner is hereby authorized to debit the Surcharge amount of \$130.00 from Deposit Account No. 50-0501.

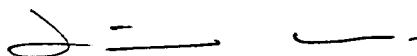
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The Commissioner is further authorized to debit insufficient funds and/or credit any overpayments relating to this application to the same account.

Further attached is a PAIR Request in Application.

Respectfully submitted,



Louis Woo, RN 31,730
Law Offices of Louis Woo
717 North Fayette Street
Alexandria, VA 22314
(703) 299-4090

Date: Jan 12, 2005



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/501,373	Timothy Bateman	0119/0036

Law Office of Louis Woo
717 North Fayette Street
Alexandria, VA 22314

RECEIVED
DEC 15 2004

INTERNATIONAL APPLICATION NO.	
PCT/GB03/00907	
I.A. FILING DATE	PRIORITY DATE
03/05/2003	03/08/2002

BY:

CONFIRMATION NO. 4686
371 FORMALITIES LETTER

OC000000014739528

Date Mailed: 12/13/2004

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 07/15/2004
- Copy of the International Search Report filed on 07/15/2004
- Copy of IPE Report filed on 07/15/2004
- Preliminary Amendments filed on 07/15/2004
- Information Disclosure Statements filed on 07/15/2004
- Request for Immediate Examination filed on 07/15/2004
- U.S. Basic National Fees filed on 07/15/2004
- Priority Documents filed on 07/15/2004

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- **\$130** Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Late oath or declaration Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE

DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

WINSTON M ALVARADO

Telephone: (703) 305-6421

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/501,373	PCT/GB03/00907	0119/0036

FORM PCT/DO/EO/905 (371 Formalities Notice)